

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention. Review of the subject application in view of the present remarks is respectfully requested.

Claim 1 has been amended. Support for amended claim 1 can be found in paragraph 0048 and 0072 of the published application (U.S. 2007/0060215).

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Go (U.S. Patent No. 6,091,938), hereinafter, “Go”, in view of Ohta (European Patent No. 1345389), hereinafter “Ohta”, in further view of Mizuta et al., (U.S. Patent Application No. 2003/0211874), hereinafter “Mizuta”. For at least the following reasons, the Examiner's rejection is respectfully traversed. The asserted combination of Go in view of Ohta and Mizuta, independently or in combination, does not teach or suggest all features of the claimed invention.

Specifically, Applicant directs the Examiner's attention to the technical feature that “when the cabinet makes a slide move, the muting operation is performed.” See paragraph 0072 of the published application. Accordingly, Go and Ohta are both “flip-style” phones, thus, Go and Ohta fail to disclose that signal transmission is inhibited “if the first and second cabinets are in a *slide move state* from the closed state to the open state” as claimed in claim 1. While Mizuta does disclose a slide type, it does not disclose that signal transmission is inhibited during a slide move. Therefore, as Mizuta fails to disclose inhibiting the communication signal during the transition state, every limitation of claim 1 is not taught, suggested, or otherwise rendered obvious or predictable by the cited references Go, Ohta and Mizuta.

Additionally, Applicant notes that the Examiner may allege that Go or Ohta stands for the disclosure of inhibiting the signal transmission and Mizuta stands for the slide type phone. However, as argued below, the combination of Go, Ohta and Mizuta is improper, which results in the above rejection becoming moot.

The combination also fails to disclose other material limitations of claim 1. As discussed above, Go does not inhibit signal transmission during the slide move state. On the contrary, Go “includes circuitry or software for reducing or eliminating the noises caused by the opening and closing of the flip.” Thus, rather than inhibiting the signal, Go processes the signal. Go's processing attempts to reduce or eliminate noise whereas the invention is directed to the signal, not just the noise. Therefore, even if the references are combined as asserted by the examiner, they do not meet all of the limitations of claim 1.

Ohta teaches away from the combination because it does not perform a call connection until the lid is open. “Call connection processing is performed after the motor 111 is shut down.” Paragraph 0033 of Ohta. Go seeks to reduce noise during opening, but in Ohta, there is no need to reduce noise during opening because the call is not connected. Therefore, Go and Ohta should not be combined.

Even if Ohta were combined with Go, the combination would lead one to a device that performs two different functions: 1. reducing noise during opening and closing and 2. performing a call connection after the lid is open. Neither of these functions “inhibits ... signal transmission from the voice input section to the communication section” as recited in claim 1.

The invention and each of the references deals with noise caused by opening and closing a phone, but each does so in a different way. Ohta waits until the phone is open to connect the call, which means no call can be made before the phone is open. Both Go and the invention

allow the user to open or close the phone during a call without terminating the call. But Go reduces the noise, whereas the invention inhibits signal transmission from the voice input section to the communication section. Mizuta fails to disclose inhibiting the communication signal during the slide move state. Therefore, every limitation of claim 1 is not taught, suggested, or otherwise rendered obvious or predictable by the cited references Go, Ohta and Mizuta.

The remaining claims 2-4 are allowable for the limitations therein and for the limitations of the claims from which they depend.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No.: 16-0820, our Order No.: NGB-40213.

Respectfully submitted,

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